

SEP 24 2018

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

US District Court
Western District of NC

IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH
EMAIL ADDRESSES
GAPFINANCIALINC@GMAIL.COM;
HCHUMKSY65@GMAIL.COM;
THEGROUP488@GMAIL.COM;
VERATECINC@GMAIL.COM; AND
SUNGLEE23@YAHOO.COM THAT IS
STORED AT PREMISES CONTROLLED
BY GOOGLE LLC AND/OR OATH
HOLDINGS INC.

Case No. 3:18MJ315

Filed Under Seal

**APPLICATION FOR ORDER COMMANDING GOOGLE LLC
NOT TO NOTIFY ANY PERSON OF THE EXISTENCE OF WARRANT**

The United States requests that the Court order Google LLC (Google) not to notify any person (including the subscribers or customers of the account(s) listed in the warrants) of the existence of the attached warrants until further order of the Court.

Google is a provider of electronic communication services, as defined in 18 U.S.C. § 2510(15), and/or a remote computer service, as defined in 18 U.S.C. § 2711(2). Pursuant to 18 U.S.C. § 2703, the United States obtained the attached warrants, which require Google to disclose certain records and information to the United States. This Court has authority under 18 U.S.C. § 2705(b) to issue “an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order.” *Id.*

In this case, such an order would be appropriate because the attached warrants relate to an ongoing criminal investigation that is neither public nor known to all of the targets of the

investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the attached warrants will seriously jeopardize the investigation, including by giving targets an opportunity to flee, destroy or tamper with evidence, change patterns of behavior, or notify confederates. *See* 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subjects under investigation could destroy that evidence, including information saved to their personal computers.

WHEREFORE, the United States respectfully requests that the Court grant the attached Order directing Google not to disclose the existence or content of the attached warrants for a period not to exceed one year from the date of entry of the requested Order, except that Google may disclose the attached warrants to an attorney for Google for the purpose of receiving legal advice.

The United States further requests that the Court order that this application and any resulting order be sealed until further order of the Court. As explained above, these documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted this, the 24 day of September, 2018.

/s/ Dallas J. Kaplan
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